

INTERFERENCE DIGEST

Interference No. 105,606

Paper No.

Name: Eliyahou Harari et al.

Serial No.: 09/310,880

Patent No.

Title: Flash eeprom system

Filed: 05/14/99

Interference with Hollmer et al.

DECISION ON MOTIONS

Administrative Patent Judge, _____ Dated, _____

FINAL DECISION

Board of Patent Appeals and Interferences, _____ Dated, _____

Court, _____ Dated, _____

REMARKS

This should be placed in each application or patent involved in interference in addition to the interference letters.



UNITED STATES PATENT AND TRADEMARK OFFICE

DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE
BOARD OF PATENT APPEALS AND INTERFERENCES
BOX INTERFERENCE, WASHINGTON, D.C. 20231

Filed by: Jameson Lee
Telephone: 571-272-4683
Facsimile: 571-273-0042

Applicants: HARARI
Application No.: 09/310,880
Filed: 05/14/99
For: Flash eeprom system

The above-identified application or patent has been forwarded to the Board of Patent Appeals and Interferences because it is adjudged to interfere with another application or patent. An interference has been declared. The interference is designated as No. 105,606.

Notice is hereby given the parties of the requirement of the law for filing in the Patent and Trademark Office a copy of any agreement "in connection with or in contemplation of the termination of the interference." 35 U.S.C. § 135(c).

/JAMESON LEE/
Administrative Patent Judge

Mail Stop Interference
P.O. Box 1450
Alexandria Va 22313-1450
Tel: 571-272-4683
Fax: 571-273-0042

Paper 1

Filed 28 January 2008

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

SHANE C. **HOLLMER** and LEE E. CLEVELAND
Junior Party
(Patent 5,828,601),

v.

ELIYAHOU **HARARI** and SANJAY MEHROTRA
Senior Party
(Application 09/310,880).

Patent Interference No. 105,606 (JL)
(Technology Center 2800)

DECLARATION - Bd.R. 203(b)¹

Part A. Declaration of interference

An interference is declared (35 U.S.C. § 135(a)) between the above-identified parties. Details of the application(s), patent (if any), reissue application (if any), count(s) and claims designated as corresponding or as not corresponding to the count(s) appear in Parts E and F of this DECLARATION.

¹ "Bd.R. x" may be used as shorthand for "37 C.F.R. § 41.x". 69 Fed. Reg. 49960, 49961 (12 Aug. 2004).

Part B. Judge managing the interference

Administrative Patent Judge Jameson Lee has been designated to manage the interference. Bd. R. 104(a).

Part C. Standing order

A Trial Section STANDING ORDER [SO] (Paper 2) accompanies this DECLARATION. The STANDING ORDER applies to this interference.

Part D. Initial conference call

A telephone conference call to discuss the interference is set for **1:00 p.m. on 18 March 2008** (the Board will initiate the call).

No later than **four business days** prior to the conference call, each party shall file and serve (SO ¶¶ 10.1 & 105) a list of the motions (Bd. R. 120; Bd. R. 204; SO ¶¶ 104.2.1, 120 & 204) the party intends to file.

A sample schedule for taking action during the motion phase appears as Form 2 in the STANDING ORDER. Counsel are encouraged to discuss the schedule prior to the conference call and to agree on dates for taking action. A typical motion period lasts approximately eight (8) months. Counsel should be prepared to justify any request for a shorter or longer period.

Part E. Identification and order of the parties

Junior Party

Named inventors: SHANE C. HOLLMER, Santa Clara, CA
LEE E. CLEVELAND, Santa Clara, CA

Involved Patent: 5,828,601 granted 27 October 1998 based on
Application 08/160,582, filed 1 December 1993

Title: Programmed reference

Assignee: Advanced Micro Devices, Inc.

Senior Party

Named Inventors: ELIYAHOU HARARI, Los Gatos, CA
SANJAY MEHROTRA, Milpitas, CA

Involved Application: 09/310,880 filed 14 May 1999

Title: Flash eeprom system

Assignee: None

The senior party is assigned exhibit numbers 1001-1999. The junior party is assigned exhibit numbers 2001-2999. Bd. R. 154(c)(1); SO ¶ 154.2.1. The senior party is responsible for initiating settlement discussions. SO ¶ 126.1.

Part F. Count and claims of the parties

Count 1

Harari's Application claim 76 or **Hollmer's** patent claim 1

The claims of the parties are:

Hollmer: Claims 1-16

Harari: Claims 76-80

The claims of the parties which correspond to Count 1 are:

Hollmer: Claims 1-3 and 14-16

Harari: Claims 76-80

The claims of the parties which do not correspond to Count 1, and therefore are not involved in the interference, are:

Hollmer: Claims 4-13

Harari: None

The parties are accorded the following benefit for Count 1:

Hollmer: None

Harari: Application 08/771,708, filed 20 December 1996, now
Patent 5,991,517 granted 23 November 1999

Application 08/174,768, filed 29 December 1993, now
Patent 5,602,987 granted 11 February 1997

Application 07/963,838, filed 20 October 1992, now Patent
5,297,148 granted 22 March 1994

Application 07/337,566, filed 13 April 1989

Part G. Heading to be used on papers

The following heading must be used on all papers filed in this interference, see SO ¶ 106.1.1:

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

SHANE C. **HOLLMER** and LEE E. CLEVELAND
Junior Party,
(Patent 5,828,601),

v.

ELIYAHOU **HARARI** and SANJAY MEHROTRA
Senior Party
(Application 09/310,880).

Patent Interference No. 105,606 (JL)

Part H. Order form for requesting file copies

When requesting copies of files, use of SO Form 4 will greatly expedite processing of the request. Please attach a copy of Parts E and F of this DECLARATION with a hand-drawn circle around the patents and applications for which a copy of a file wrapper is requested.

/ss/ Jameson Lee
Administrative Patent Judge

Enc:

Copy of STANDING ORDER
Form PTO-850
Copy U.S. Patent 5,828,601
Copy of claims of 09/310,880

Revised 3 January 2006

cc (via overnight delivery):

Attorney for HOLLMER:

Martin C. Fliesler, Esq.
FLIESLER, DUBB, MEYER & LOVEJOY
Four Embarcadero Center, Suite 400
San Francisco, CA 94111-4156

Attorney for HARARI:

DAVIS WRIGHT TREMAIN LLP
Sandisk Corporation
505 Montgomery Street, Suite 800
San Francisco, CA 94111